Remarks

Claims 1-20 are pending in the application.

Claims 1-3, 9-11, and 15-20 are rejected under 35 U.S.C. §102(e) as being anticipated by Ozugur (Pub No. US 2003/0202505, hereinafter "Ozugur").

Claims 4-8 and 12-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ozugur in view of Forslow (U.S. Patent No. 6,954,790, hereinafter "Forslow").

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments presented herein.

Entry of this Amendment is proper under 37 CFR §1.116 because the amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfies a requirement of form asserted in the previous Office Action; (d) does not present any additional claims without canceling a corresponding number of finally rejected claims; or (e) places the application in better form for appeal, should an appeal be necessary. The amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of the amendment is thus respectfully requested. Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., just to avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

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Also, because a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Therefore, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Rejection Under 35 U.S.C. §102

Claims 1-3, 9-11, and 15-20 are rejected under 35 U.S.C. §102(e) as being anticipated by Ozugur. The rejection is traversed.

Anticipation requires the disclosure in a single prior art reference of each and every element of the claimed invention arranged as in the claim. The Ozugur reference fails to disclose each and every element of the claimed invention as arranged in independent claim 1.

Specifically, Ozugur fails to teach at least:

> a packet filter that directs requests for the network data from a mobile node to the cache,
>
> the packet filter directing the requested network data from the cache to the mobile node by the way of the foreign agent, without forwarding the requested network data to a home agent of the mobile node"

as recited in independent claim 1 (emphasis added).

The Examiner equates Applicant's packet filter of claim 1 with a distribution system gateway ("DSG") 36 of Ozugur (Final Office Action, page 2). Specifically, the examiner cites two portions of Ozugur, paragraph [0022], lines 9-11 and paragraph [0023] lines 6-10 and FIG. 2 (*id.*). The first cited portion discloses the DSG 36 and a

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WiAPR server 38, where DSG provides a wired interface between the wireless network 30 and IP network 40. The second cited portion states:

> When the DSG 37 serves as FA for a mobile station having the DSG 36 as its HA, IP data packets destined for the mobile station which are received by the DSG 36 will be routed directly to the DSG 37 without use of the information maintained by the WiAPR server 38. (emphasis added)

Neither of the portions expressly discloses that the mobile node's requests for the network data are directed to the cache. The Examiner interprets that APR cache of the APR server 28 is the cache element of Applicants' claim 1 (*see* Final Office Action, pages 2, 7). The Examiner agrees with Applicants that the APR cache of Ozugur contains MAC addresses of the mobile node and the access point (*id.*). The MAC addresses of the mobile node and the access point are not necessary to process the mobile node's requests for the network data. Further, even if such information is needed, it may be included by the mobile node into its requests. Accordingly, not only Ozugur fails to disclose that the DSG 36 (the packet filter) directs the mobile nodes' requests to the APR cache (the cache), but such arrangement is not inherent from the Ozugur reference.

Moreover, the second cited portion expressly states that the data requested by the mobile station is received by the home agent (HA) DSG 36. This is entirely opposite of Applicants' claimed arrangement, where the requested data is not received by the home agent of the mobile node, but instead, directed from the cache to the mobile node. Further, the second portion states that the information maintained by the WiAPR server 38 is not used. However, the WiAPR server includes the cache. Therefore, the cache is not used in the described arrangement. Again, this is entirely different from Applicants' claimed arrangement because both the mobile node's request for the network data and the requested network data are directed through the cache. Accordingly, the Ozugur reference fails to disclose each and every element of the claimed invention as arranged in Applicants' independent claim 1.

Therefore, independent claim 1 is not anticipated by Ozugur and is patentable under 35 U.S.C. §102. Independent claims 9, 15, and 18 recite relevant limitations similar to those recited in independent claim 1 and, as such, and at least for the same reasons as discussed above, these independent claims also are not anticipated by Ozugur and are patentable under 35 U.S.C. §102.

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Because all of the dependent claims depending from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Ozugur. Therefore, Applicants' claims 1-3, 9-11 and 15-20 are allowable over Ozugur. under 35 U.S.C. §102. The Examiner is respectfully requested to withdraw the rejection.

Rejection Under 35 U.S.C. §103(a)

Claims 4-8 and 12-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ozugur in view of Forslow.

Each of these grounds of rejection applies only to dependent claims, and each is predicated on the validity of the rejection under 35 U.S.C. §102 given Ozugur. Because the rejection under 35 U.S.C. §102 given Ozugur has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Forslow supplies that which is missing from Ozugur to render the independent claims anticipated, these grounds of rejection cannot be maintained.

Therefore, Applicants' claims 4-8 and 12-14 are allowable over Ozugur in view of Forslow under 35 U.S.C. §103(a).

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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

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